

ARTICLE VI. - CONTRACTOR REGISTRATION

Sec. 8-170. - Registration required.

Any owner, authorized agent, or contractor who desires to perform any work on or related in any way to a structure located within the city, including, but not limited to electric, plumbing, roofing, sheetrocking, minor or major building or structural repair, the repair, removal or replacement of fencing, walls or any other such structure or material, to collect, gather, stack and/or remove fallen trees, brush and other debris from any property located within the city or who shall offer to provide services for hire to otherwise maintain in any way the landscaping or lawn located on any property within the boundaries of the city shall first make application to the city secretary and obtain the required registration.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-171. - Filing, contents of application.

Each application for registration required by this article shall be filed with the city secretary on a form furnished by her, shall contain the below listed general information about the contractor, the type of work to be performed by said contractor, all responsible parties for the work to be performed, the contractor's business location, and the following information:

- (1) The business name, federal tax identification number, business address, local address, phone numbers, and responsible party contact information of the applicant;
- (2) The name, driver's license number, and title of each individual who will be allowed to obtain or be responsible for obtaining any required building permits on behalf of the applicant;
- (3) Whether or not the applicant or any individual engaged in the activity for which the permit is being obtained has ever been convicted of a felony offense, and, if so, the date of the conviction, the place of the conviction, a description of the crime and the sentence resulting from the conviction.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-172. - Proof of comprehensive general liability insurance.

In addition, each application for a permit required by this article shall contain proof that the applicant has in full force comprehensive general liability insurance with the minimum amounts of three hundred thousand dollars (\$300,000.00) liability and one hundred thousand dollars (\$100,000.00) per accident. Proof of such insurance shall be maintained for the duration of the registration sought and copies of the certificates of such insurance listing the city as the certificate holder shall be maintained by the city secretary for each contractor.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-173. - Proof of licensing required.

Together with the application and proof of insurance described above, each applicant, before receiving a contractor's registration number, must provide to the city secretary copies of all current master licenses under which any employees or representatives of said contractor will be working.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-174. - Fee.

Together with the application, proof of insurance and proof of master licenses, if any, as described above, each applicant shall present to the city secretary payment of a fee in the amount of fifty dollars (\$50.00) to be used for the purpose of defraying the expenses incident to the issuance of the registration sought by the

application and to the enforcement of the provisions of this article. Nothing contained in this section, however, shall be construed or shall in any way waive the requirement of each applicant to adhere to all provisions of this article.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-175. - Action on application by city secretary.

The city secretary shall act upon an application for a permit required by this article without unreasonable or unnecessary delay. If the registration is accepted by the city secretary, a contractor's registration number shall be issued to the contractor identified in the application. Each entity under whose name the contractor might seek to do business in the city will require a separate registration with all applicable fees and requirements applied accordingly.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-176. - Denial of application.

If the application for a registration required by this article does not conform to the requirements of this article or other pertinent laws or ordinances, the city secretary shall not accept the registration but shall return the application to the applicant with her refusal to issue the contractor's registration number. Such refusal, shall, when requested, be in writing and shall contain the reasons therefore.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-177. - Duration of registration.

Every registration issued hereunder shall be valid for a period of time not exceeding one (1) calendar year, to expire on December thirty-first of the issuance year.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-178. - Registration not transferable.

A registration issued under the provisions of this article shall not be transferable nor shall it give authority to any business or individual other than that identified in the application, to conduct the activities on behalf of the business for which the registration is being sought.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-179. - Record of registrations issued.

The city secretary shall keep a record of all registrations issued under this article for not less than three (3) years.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-181. - False information.

It shall be unlawful for any person to make any false statement or to give any false or misleading information in connection with an application for a permit required by this article. The making of any such false or misleading statement or the giving of such false or misleading information shall subject the registrant to the suspension and/or revocation of the registration.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-182. - Suspension or revocation.

- (a) Any person who so violates the laws of the United States of America, the State of Texas, or the City of El Lago or any of the terms or provisions of this article shall be subject to the suspension or revocation of the registration granted pursuant to this article. Upon a complaint being filed by any person with the city secretary of such violation, the city council shall, within fifteen (15) days of the date of the receipt of such complaint, hold a hearing before the city council to hear all evidence for and against such complaint. Notice of the date, time and place of such hearing shall be given to the applicant personally or by certified mail at least three (3) days prior to such hearing. At the conclusion of the hearing or as soon thereafter as is practicable, the city council shall enter an order either dismissing the complaint, suspending or revoking the registration or taking such other authority granted pursuant to this article upon its determination that such action is in the best interest of the health, safety, or welfare of the citizens of the city.
- (b) If the city council shall suspend or revoke any permit granted pursuant to this article, the holder of such permit may, upon giving notice within ten (10) days of the date of such order entered by the city council, have the right to appeal to the city council. The city council shall hear all evidence and shall either sustain or reverse such suspension and/or revocation at its next regularly scheduled meeting. If no appeal is taken from the action of the city council within ten (10) days, then the decision of the city council shall, in all things, be final and binding.
- (c) The suspension or revocation of a registration as contained herein shall not preclude criminal prosecution for any unlawful activity by the applicant or permittee.
- (d) The suspension or revocation of a registration as contained herein shall preclude the applicant from obtaining any further or future permit under this article.

(Ord. No. 365, § 2, 2-2-09)

Sec. 8-183. - Penalty.

It shall be unlawful for any individual to engage in the activity described in this article without a contractor's registration number as provided herein or if said registration has been suspended or revoked as contained herein. Any person who violates a provision of this article is guilty of a separate offense for each day or part of day during which a violation is committed, continued or permitted. Each offense, upon conviction, shall be a misdemeanor and is punishable by a fine not to exceed one hundred dollars (\$100.00).

(Ord. No. 365, § 2, 2-2-09)